

United States District Court
Southern District of Texas
FILED

JUN - 1 2000

MICHAEL N. MILBY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

EQUAL EMPLOYMENT OPPORTUNITY)
COMMISSION,)

Plaintiff,)

v.)

NATIONWIDE HOUSING SYSTEMS)
INC.)

Defendant.)

Civil Action No. CA-00-125

2000 MAY -5 P 2:15

WAIVER OF SERVICE OF SUMMONS

To: R. Chris Pittard, Trial Attorney, Equal Employment Opportunity
Commission, 5410 Fredericksburg Rd., Suite 200, San Antonio,
Texas 78229.

I acknowledge receipt of your request that I waive service of
a Summons in the action of Equal Employment Opportunity Commission
v. Nationwide Housing Systems, Inc., which is case number CA-00-125
in the United States District Court for the Southern District of
Texas, Corpus Christi Division. I have also received a copy of the
complaint in the action, two copies of this instrument, and a means
by which I can return the signed waiver to you without cost to me.

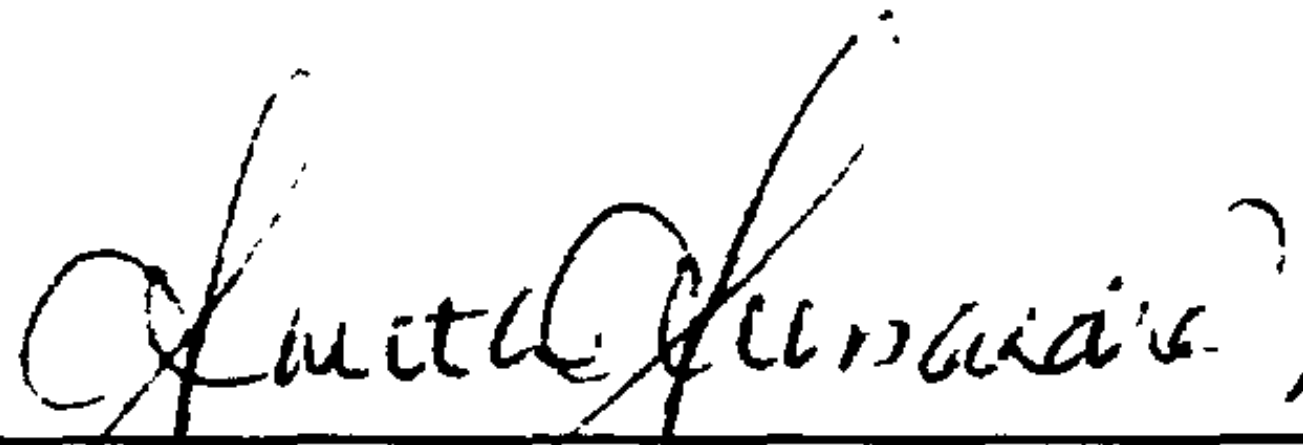
I agree to save the cost of service of a summons and an
additional copy of the complaint in this lawsuit by not requiring
that the entity on whose behalf I am acting be served with judicial
process in the manner provided by Rule 4.

The entity on whose behalf I am acting will retain all
defenses or objections to the lawsuit or to the jurisdiction or
venue of the court except for objections based on a defect in the
summons or in the service of the summons.

I understand that a judgment may be entered against the party
on whose behalf I am acting, if an answer or motion under Rule 12
is not served upon you within **60 days** after April 3, 2000.

5-2-CC

Date



Signature

Printed/typed name: Anita Alessandra
Attorney for Defendant

Duty to Avoid Unnecessary Costs of Service of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the summons and complaint. A defendant located in the United States who, after being notified of an action and asked by a plaintiff located in the United States to waive service of a summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the complaint is unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the summons retains all defenses and objections (except any relating to the summons or the service of the summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant. By waiving service, a defendant is allowed more time to answer than if the summons had been actually served when the request for waiver of service was received.